

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES SOTO,

Plaintiff,

vs.

WILLIAM FOSTER, ERNEST HERNANDEZ,
JOHN SCHMIDT, ROBERT MILLER,
EUGENE LABIAK, STEPHEN CASTO,
THOMAS RICHARDSON, MICHAEL DUFFIN,
REYNALDO GUEVARA, ROBERT JOHNSON,
ANTHONY PECORARO, ANTHONY KUTA,
ROMAN TAPKOWSKI, STANLEY BYCZEK,
VINCENT TONDRYK, KENNETH MANN,
WAYNE STRAZA, MICHAEL MCMEEL,
JUDE EVANS, PHILLIP SZPICKI, N. DUB,
GERI LYNN YANOW, as Special Representative
of JOHN REGAN and DENNIS MADERAK, the
CITY OF CHICAGO, GREGG OWEN, ERIN
McMAHON, as Special Representative of
TIMOTHY McMAHON, JACK SMEETON,
and COOK COUNTY, and
UNIDENTIFIED POLICE OFFICERS,

Defendants.

No.: 24-cv-10869

Hon. Martha M. Pacold
Magistrate Hon. Laura K. McNally

JURY TRIAL DEMANDED

RULE 37 CERTIFICATION

I, Amanda C. Guertler, an attorney, hereby certify that City Defendants, in compliance with Local Rule 37.2, have engaged in good faith efforts to resolve the issue prior to Defendants filing this Motion. As stated in the motion, the parties agree that consolidation is warranted for pretrial discovery purposes.

The parties are at impasse regarding reassignment of *Ayala v. Foster, et al.*, 24-CV-12800, currently pending in this District Court before the Honorable Judge LaShonda A. Hunt and

consolidation for all pretrial purposes, including dispositive motions. The parties conferred with counsel for Plaintiff Soto and counsel for Plaintiff Ayala concerning City Defendants' Joint Motion for Consolidation via telephone conference on June 2, 2025 and videoconference on June 4, 2025. The parties were unable to reach a resolution. Plaintiffs requested three weeks for their response up to and including June 27, 2025 and Defendants requested two weeks for their reply up to and including July 11, 2025.

Respectfully submitted,

BORKAN & SCAHILL, LTD.

By: /s/ Amanda C. Guertler
Amanda C. Guertler

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